

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ZOILA IGLESIAS, individually and as next friend of J.R.
and K.R. infants,

Plaintiffs,

**ANSWER TO CROSS-
CLAIMS**

08 CV 1595 (AKH)

-against-

JOHN MATTINGLY, individually and as Commissioner,
HELEN COLON, individually and as caseworker,
CARYNE MORENCY, individually and as supervisor;
TRACEY LISSIMORE, individually and as manager;
TAMIKA McCOY, individually and as caseworker,
FLORENCE UBA, individually and as supervisor, LEAKE
& WATTS SERVICES, Inc., LIANNE CLARK PARRIS,
individually and caseworker, ZOLA VIOLA, individually
and as supervisor, COALITION FOR HISPANIC
SERVICES, Inc., CITY OF NEW YORK, and GLADYS
CARRION, as Commissioner,

Defendants.

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Defendants City of New York, John Mattingly, Helen Colon, Tracey Lissimore, and
Caryne Morency (collectively, "City Defendants"), by their attorney, Michael A. Cardozo,
Corporation Counsel of the City of New York, for their Answer to the Crossclaim brought by
Tamika McCoy, Florence Uba, and Leake & Watts Services, Inc., as set forth in their answer
dated June 3, 2008, respectfully allege as follows:

Deny the allegations set forth in each and every Crossclaim.

FIRST AFFIRMATIVE DEFENSE

1. The Crossclaim fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

2. City Defendants have not violated any of Co-Defendants Tamika McCoy's, Florence Uba's, and Leake & Watts Services, Inc.'s rights, privileges or immunities under the Constitution or laws of the United States or the State of New York or any political subdivision thereof, nor have City Defendants violated any act of Congress providing for the protection of civil rights.

THIRD AFFIRMATIVE DEFENSE

3. Cross-Plaintiff has failed to comply with a condition precedent.

FOURTH AFFIRMATIVE DEFENSE

4. Any injuries alleged in the in the Crossclaim were caused, in whole or in part, by Co-Defendants Tamika McCoy's, Florence Uba's, and Leake & Watts Services, Inc.'s own culpable and/or negligent conduct and/or the conduct of non-parties or third parties and not the proximate result of any act of City Defendants.

WHEREFORE, City Defendants respectfully request that this Court enter judgment dismissing the Crossclaim in its entirety, together with the costs and disbursements of this action, and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York
June 18, 2008

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City of New York
Attorney for Defendants City of New York, John
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By: s/STEVEN D. WEBER
STEVEN D. WEBER
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